

105TH CONGRESS
2D SESSION

H. R. 3188

To prohibit the construction of any monument, memorial, or other structure at the site of the Iwo Jima Memorial in Arlington, Virginia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 1998

Mr. SOLOMON introduced the following bill; which was referred to the Committee on Resources

A BILL

To prohibit the construction of any monument, memorial, or other structure at the site of the Iwo Jima Memorial in Arlington, Virginia, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION OF ADDITIONAL CONSTRUCTION**

4 **AT IWO JIMA MEMORIAL.**

5 (a) PROHIBITION.—After the enactment of this Act
6 no person (including any governmental entity) may con-
7 struct any monument, memorial, or other structure of any
8 kind (whether above grade or below grade) on the parcel
9 of Federal land located south of Rosslyn, Virginia, and

1 north of the Arlington National Cemetery that is bounded
2 on the west by Meade Street, on the north by Arlington
3 Boulevard (U.S. Route 50), on the east by Jefferson Davis
4 Highway (Virginia Route 110), and on the south by Mar-
5 shall Drive.

6 (b) CONSTRUCTION COMMENCED PRIOR TO ENACT-
7 MENT.—Any person (including any governmental entity)
8 who commenced construction of any monument, memorial,
9 or other structure prior to the enactment of this Act on
10 the parcel described in subsection (a) shall immediately
11 cease such construction upon the enactment of this Act,
12 and shall, as promptly as practicable after the enactment
13 of this Act, restore all lands affected by such construction
14 to their condition prior to the commencement of such con-
15 struction.

16 (c) EXISTING MEMORIALS AND STRUCTURES.—
17 Nothing in subsection (a) or (b) shall apply to the United
18 States Marine Corps (Iwo Jima) Memorial or to the Neth-
19 erlands Carillon.

20 (d) UTILITIES.—Nothing in subsection (a) or (b)
21 shall apply to the construction, reconstruction, or repair
22 by any person of any below-grade utility facilities, includ-
23 ing sewer, electrical, water supply, and communications
24 facilities.

1 (d) ENFORCEMENT.—Any person may bring a civil
2 action in the appropriate United States district court
3 against any person (including the United States) to en-
4 force the provisions of subsection (a) and (b), and such
5 court shall have jurisdiction in any such action, without
6 regard to the citizenship of the parties or the amount in
7 controversy, to issue such orders as may be necessary to
8 restrain any violation of the prohibition set forth in sub-
9 section (a) and to enforce the requirements of subsection
10 (b).

11 **SEC. 2. REIMBURSEMENT.**

12 (a) SITE SPECIFIC DESIGN EXPENSES.—Upon re-
13 ceipt from the Chairman of the Air Force Memorial Foun-
14 dation of adequate documentation of design expenses asso-
15 ciated with the United States Air Force Memorial pro-
16 posed to be located on the site referred to in section 1(a),
17 subject to appropriation, the Secretary of the Interior
18 shall transfer to the Air Force Memorial Foundation such
19 amount as the Secretary finds necessary to fully reimburse
20 the Association for all site specific design expenses in-
21 curred by the Association prior to September 17, 1997,
22 with respect to such proposed memorial.

23 (b) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to the Secretary of the
25 Interior not more than \$1,500,000 for purposes of provid-

- 1 ing reimbursement to the Air Force Memorial Foundation
- 2 under subsection (a).

